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16 Attorneys for Plaintiff
IMAGEKEEPER, LLC
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18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE DISTRICT OF NEVADA
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21 IMAGEKEEPER, LLC, a Nevada limited
liability Company,
22 Plaintiff,
23 v.
24 WRIGHT NATIONAL FLOOD
INSURANCE SERVICES, LLC, a
Delaware limited liability Company, and
EVOKE TECHNOLOGIES PRIVATE
LIMITED, an Ohio foreign corporation,
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27 Defendants.
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Case No. 2:20-cv-01470-GMN-VCF
**DECLARATION OF MIYA YUSA IN
SUPPORT OF PLAINTIFF
IMAGEKEEPER, LLC'S MOTION TO
COMPEL DISCOVERY FROM
DEFENDANT WRIGHT NATIONAL
FLOOD INSURANCE SERVICES, LLC**

1 I, Miya Yusa, declare:

2 1. I am an attorney at the law firm of Polsinelli LLP, attorneys for Plaintiff
 3 ImageKeeper, LLC (“ImageKeeper”). I am admitted *pro hac vice* in this matter. I am otherwise
 4 licensed to practice law in the State of California. I make this declaration in support of
 5 ImageKeeper’s Motion to Compel Discovery from Defendant Wright National Flood Insurance
 6 Services, LLC (“Wright Flood”). The facts set forth in this declaration are true of my own
 7 personal knowledge and, if called upon to do so, I could and would competently testify thereto.

8 2. Counsel for the parties held a telephonic meet and confer on February 12, 2021
 9 regarding Wright Flood’s withholding of all discovery requested by ImageKeeper. Dkt. 125 at
 10 ¶ 13-14. Wright Flood’s counsel agreed to reevaluate its position and let ImageKeeper know by
 11 February 17, 2021 whether or not it will provide substantive responses and to which discovery
 12 requests. *Id.* On February 17, 2021, Wright Flood’s counsel informed ImageKeeper that Wright
 13 Flood agrees to supplement the outstanding discovery requests except for Request for Production
 14 1, 5-10, 12-20, 27-28, 30-31, 35-42, 44-45, 48, and 67, and Interrogatory Nos. 4 and 5. Wright
 15 Flood asserted that these “expressly request information about the Wright App” and were,
 16 therefore, subject to its pending motion to compel and motion to stay discovery.

17 3. Nearly a month later, on March 12, 2021, Wright Flood finally made an initial
 18 production: a single, non-searchable PDF with no metadata contrary to the ESI order in this
 19 action (Dkt. 100); that “block” PDF consisted of nine documents, a set of invoices from
 20 ImageKeeper and a limited number of email discussions regarding those invoices.

21 4. On the afternoon of April 7, Wright Flood made a second production but did not
 22 update its responses to ImageKeeper’s requests for production.

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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct and this declaration was made this 8th day of April, 2021 in San
3 Francisco, California.

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5 */s/ Miya Yusa*

6 Miya Yusa

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CERTIFICATE OF SERVICE

I am a citizen of the United States and resident of the State of California. I am over the age of eighteen years and not a party to the within action. My business address is Polsinelli LLP, Three Embarcadero Center, Ste. 2400, San Francisco, CA 94111. I am employed in the office of a member of the bar of this Court, at whose direction the service was made.

On April 8, 2021, I served the following document (s) in the manner described below:

- DECLARATION OF MIYA YUSA IN SUPPORT OF PLAINTIFF IMAGEKEEPER, LLC'S MOTION TO COMPEL DISCOVERY FROM DEFENDANT WRIGHT NATIONAL FLOOD INSURANCE SERVICES, LLC

BY ELECTRONIC SERVICE: By electronically mailing a true and correct copy through Polsinelli LLP's electronic mail system from mortiz@polsinelli.com to the email addresses set forth below.

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**ATTORNEYS FOR DEFENDANT
WRIGHT NATIONAL FLOOD
INSURANCE SERVICES, LLC**

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed on April 8, 2021, at San Jose, California.
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6 By: */s/ Marilyn Ortiz*
7 Marilyn Ortiz
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